IN RE:

PETITION FOR ZONING VARIANCE *

BEFORE THE

W/S Marks Manor Court, 593' +/N of c/l Marriottsville Rd. *

ZONING COMMISSIONER

6 Marks Manor Court

2nd Election District

OF BALTIMORE COUNTY

2nd Councilmanic District

Legal Owner: Powers Homes at

Case No. 97-331-A

Reservoir Woods, Inc.

Contract Purchaser: Eric A. Cox, Petitioner

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at #6 Marks Manor Court, located in the Marks Manor Subdivision of northwest Baltimore County. The Petition is filed by Powers Homes at Reservoir Woods, Inc., property owner and Eric A. Cox, Contract Purchaser. Variance relief is requested, pursuant to Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 43 ft. in lieu of the required 50 ft., and also to approve an amendment to the Final Development Plan of Marks Manor. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Jeffrey B. Powers, Vice President, of Powers Homes at Reservoir Woods, Inc., property owner. Also present was Dennis E. Meckley, the engineer who prepared the site plan. Also appearing in support of the Petition was Eric A. Cox, Contract Purchaser. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is 3.96 acres in area, zoned R.C.5. The property is known as lot No. 1 in the subdivision known as Marks Manor. The property is roughly rectangular in shape and abuts both Marriottsville Road and Marks Manor Court. A

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single family dwelling has been constructed on the subject property, to be known as #6 Marks Manor Court. A site plan shows the location of the house and the proposed setbacks. The dwelling will be served by a well and private septic system.

Testimony and evidence presented that construction of the house was begun in October of 1996 and was completed in February of 1997. Subsequent to the time when constructed was started, amendments were made to the layout of the subdivision so as to assure that each lot would be a minimum of one acre. Apparently, a small strip of acreage in the rear of the lot was lost due to a shift in the rear property line. Thus, the lot was reconfigured to adjust for this loss of acreage.

As a result of that reconfiguration, the side yard setback for the existing dwelling has been reduced from the required 50 ft. to 43.74 ft., thus, a variance is necessary to cure the 7 ft. deficiency.

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements of Section 307 of the BCZR, as construed by the case law. Moreover, I am persuaded that there will be no detrimental impact to the surrounding properties, particularly since lot No. 2, the most affected lot, is unimproved at this time. It is also to be noted that there is no adverse comment by any member agency of the Zoning Plans Advisory Committee. Thus, the Petition for Variance shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of April 1997 that a variance from Section

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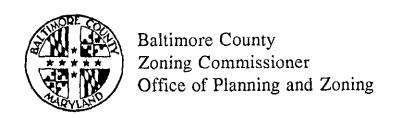
1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 43 ft., in lieu of the required 50 ft., and also to approve an amendment to the Final Development Plan of Marks Manor, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES/mmn





Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

April 29, 1997

Mr. Eric A. Cox 6 Marks Manor Court Randallstown, Maryland 21133

Mr. Jeffrey B. Powers, V.P. Powers Home at Reservoir Woods, Inc. 1808 Baltimore Blvd., Suite B Westminster, Maryland 211567

RE: Case No. 97-331-A

Petition for Zoning Variance

Petitioner: Eric A. Cox/Powers Home at Reservoir Woods, Inc.

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.



Revised 9/5/95

to the Zoning Commissioner of Baltimore County

•	• •	1 . •	4 **	
for	the	property	located	at

6 MARKS MANOR CT
which is presently zoned

This Petition shall be filed with the Department of Permits & De The undersigned, legal owner(s) of the property situate in Baltimore County at	levelopment Management and which is described in the description and plat attached			
The undersigned, legal owner(s) of the property situate in Section(s) hereto and made a part hereof, hereby petition for a Variance from Section(s)				PERMIT

A SIDEYARD SETBACK OF 43' IN LIEST OF THE REPAIRED SUL AND TO AMEND THE FOP OF MARK'S MANOR.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate herdship or practical difficulty)

TO BE DEVELOPED AT HEARING WOULD BE UNABLE TO OBTAIN USO

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessage	Legal Owner(e):
ERIC A. COX	. Parers Homes at Reservoir Words Inc
(Type or Print Name)	Myray & Print Name!
Marks Manor of	(Type or Print Name)
Randallstown Md 2123-	Signature
Attorney for Petitioner:	1808 baltimore Blvd Suite B 876-5300
(Type of Print Name)	Westminister Md 21157
Signature	Name, Address and phone number of representative to be contacted.
Address Phone No.	1908 Baltimere Blid Site B Westininsty, Mb.
City State Zipcode	OFFICE USE ONLY
	EBTIMATED LENGTH OF HEARING unevallable for Heating the following dates Next Two Months
Printed with Soybean Int.	ALL OTHER 2 - 7-97

Zoning Description for #6 Marks Manor Court

Beginning at a point on the west side of Marks Manor Court (40' wide right-of-way) at a distance of 593 feet north of the intersection of Marriottsville Road (70' wide right-of-way) and Marks Manor Court. Being known as Lot #1 of "Marks Manor" as recorded in Baltimore County Plat Book #67, Folio #84, containing 3.9555 acres. Also known as #6 Marks Manor Court and located in the 2nd Election District, #2 Councilmanic District.

H:\DATA\WPFILES\JOB\94094A\DOC\ZONING.DES

NOTICE OF HEARING

The Zorling Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #97-931-A
6 Marks Manor Court,
W/S Marks Manor Court,
593'* N of c/l Marriotisville
Road
2nd Election District
2nd Councilmanic
Legal Owner(s):
Parers Homes at Reservoir
Woods, Inc.
Contract Purchaser(s):
Eric A Cox

Variance to permit a side yard setback of 43 feet in heu of the required 50 feet and to amend the FDP of Mark's Manor

Manor. Hearing: Thursday, March 13, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Baitimore County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391

2/305 Feb 20 0121583

CERTIFICATE OF PUBLICATION

TOWSON, MD., $2/20$, 1997
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of \angle successive weeks, the first publication appearing on $2/20$, 19 97.
weeks, the first publication appearing on $2/20$, 1997.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

612720 Kanaganasan

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OFFICE OF FINANCE - REVENUE DIVISION ALTIMORE COUNTY, MARYLAND 18 5

MISCELLANEOUS CASH RECEIPT

WHITE CASHIER PINK - AGENCY YELLOW - CUSTOMER

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VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE: Case No.: 97-331-A

Petitioner/Developer: ______

Date of Hearing/Closing: March 13, 1997& 2:00 pm

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at <u>Mark's Manor Ct. off of Marnotts ville Rd.</u>

The sign(s) were posted on <u>February 26, 1997</u>
(Month, Day, Year)

Sincerely,

ZONING NOTICE
CASE 1 97-51-5
THE & DATE AND THE STORY OF THE STORY OF

(Signature of Sign Poster and Date)

Doug Bourn

(Printed Name)

SHANNON-BAUM SIGNS

105 COMPETITIVE GOALS DR.

ELDERSBURG, MD 21784

(City, State, Zip Code)

(HO) 78/- 4000

(Telephone Number)



Baltimore County Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

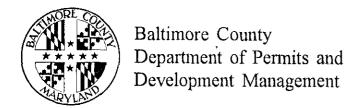
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD	JABLON,	DIRECTOR	
or newspaper advertising:	ه هيده مينه مينه مينه مينه مينه مينه مينه			
tem No.: 331				
Petitioner: C.L.S.I. for Powers Homes	Inc.			
Location: #6 Mark's Manor Court				
PLEASE FORWARD ADVERTISING BILL TO:				
NAME: C.L.S.I.				
ADDRESS: 439 East Main Street				
Westminster, MD 21157	·	·	F 1 "4	, a e e e e e e e e e e e e e e e e e e
PHONE NUMBER: 410-876-2017				-
AJ:ggs		/ D.a	wied ng/	74/96)

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing Date to be Posted: Anytime before but no later than		
ZONING NOTICE		
Case No.: 97-331-A		
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD		
PLACE:		
DATE AND TIME:		
REQUEST: TO PERMIT A SIDEYARD SETBACK OF 43'		
IN LIEU OF THE REQUIRED 50'.		
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.		
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW		
HANDICAPPED ACCESSIBLE		



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 19, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-331-A
6 Marks Manor Court
W/S Marks Manor Court, 593'+/- N of c/l Marriottsville Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Parers Homes at Reservoir Woods, Inc.
Contract Purchaser(s): Eric A, Cox

Variance to permit a side yard setback of 43 feet in lieu of the required 50 feet and to amend the FDP of Mark's Manor.

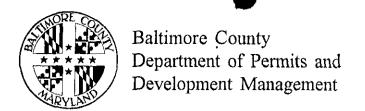
HEARING: THURSDAY, MARCH 13, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon Director

cc: Pares Homes of Reservoir Woods, Inc. Eric A. Cox

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 26, 1997

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 11, 1997

Mr. Jeffrey B. Powers 1808 Baltimore Boulevard Suite B Westminster, MD 21157

RE: Item No.: 331

Case No.: 97-331-A

Petitioner: Powers Homes

Dear Mr. Powers:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



Printed with Soybean Ink on Recycled Paper

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: February 28, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

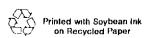
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

Item Numbers: 320, 321, 323, 324, 325, 331, 332,

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Marketon and The

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

POM

FROM:

R. Bruce Seeley

Permits and Development Review

SUBJECT:

Zoning Advisory Committee
Meeting Date: F-621,97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

320

324

326

327

328

RBS:sp

BRUCE2/DEPRM/TXTSBP

who alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 26, 1997

Department of Permits & Development

Management

Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for February 28, 1997

Item Nos. 320, 323, 324, 325,

and 334

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 28, 1997

Permits and Development Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Jeffrey W. Long Cary L. Kerns

Item Nos. 331

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County 2.21.97 Item No.

331 JCM

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. A Selle for Ronald Burns, Chief

Engineering Access Permits

Division

LG

My telephone number is ___

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

PETITION PROBLEMS

#331 --- JCM

- 1. Need attorney legal owner is incorporated.
- 2. Sign form incorrect.

#332 --- JRF

1. Not marked "floodplain" on folder.

#333 --- RT

- 1. No telephone number for legal owner.
- 2. No sign form in folder.

#334 --- JRF

- 1. Need typed name and title of person signing for contract purchaser.
- 2. Sign forms incorrect.

#335 --- RT

1. Sign form incorrect.

RE: PETITION FOR VARIANCE * BEFORE THE

6 Marks Manor Court, W/S Marks Manor Ct,
593'+/- N of c/l Marriottsville Road * ZONING COMMISSIONER
2nd Election District, 2nd Councilmanic * OF BALTIMORE COUNTY

Legal Owner(s): Parers Homes at Reservoir
Woods, Inc. * CASE NO. 97-331-A

Contract Purchaser(s): Eric A. Cox
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baitimore County

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13 day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Petitioners Jeffrey B. Powers, V.P., Parers Homes at Reservoir Woods, Inc., 1808 Baltimore Blvd., Suite B, Westminster, MD 21157, Legal Owner; and Eric A. Cox, 6 Marks Manor Court, Randallstown, MD 21133, Contract Purchaser.

Peter Mary Zimneiman

DIEM INNI STIMBING

Reservoir Woods, LLC 17 Glenberry Court Phoenix, Maryland 21131 (410) 785-9650 (Fax) 785-9650

March 6, 1997

3/11/a? 8/ TO 1-8 Jr felo-

Baltimore County
Department of Permits
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Mr. Arnold Jablon

Re: Case Number 97-331-AA 6 Marks Manor Court W/S Marks Manor Ct, 593'+/-N of Marriottsville Road 2nd Election District

Dear Mr. Jablon:

I am writing to you regarding the variance request (Case Number 97-331-A) by Powers Homes of Reservoir Woods, Inc. to permit a side yard setback of 43 feet in lieu of the required 50 feet. Reservoir Woods, LLC is the current owner of #10 Marks Manor Court (Lot 2), the adjacent lot to the lot in question, and we would like to go on record in support of the requested variance.

If you should have any questions please feel free to contact me at (410) 785-9630.

Sincerely,

Reservoir Woods, LLC

By: David E Gonzales Corporation,

General Manager

By: David E. Gonzales

President



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

June 27, 1997

Robert A. Hoffman, Esq. Venable 210 Allegheny Avenue Towson, MD 21285-5517

Re:

CASE NUMBER:

97-531-XA

PETITIONER(S):

Bell Atlantic NYNEX Mobile

LOCATION:

Woodholme Avenue opposite Trentham Drive

Dear Mr. Hoffman:

The above matter, previously assigned to be hearing on July 7, 1997 has been postponed at your request.

Please be advised that as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. Enclosed you will find a listing of those vendors.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign (s) must be changed to give notice of the new hearing date.

Arnold Jablon Director

AJ:ggs



Printed with Soybean Ink on Recycled Paper

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com

OFFICES IN

MARYLAND WASHINGTON, D.C. Virginia



June 23, 1997

Hand Delivered

Mr. Arnold Jablon, Director Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Case Number: 97-531-XA

> > Petitioner: Bell Atlantic NYNEX Mobile Petition for Special Exception and Variance

Dear Mr. Jablon:

I represent Bell Atlantic NYNEX Mobile, the petitioner, in the above captioned matter. The hearing in this matter has been scheduled for Monday, July 7, 1997. I respectfully request a postponement of the hearing to another date.

Thank you for your consideration.

Yours truly,

Robert A. Hoffman

Maurice Thompson, BANM cc:

Gwen Stephens

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Dennis E. Meckley	429 E Main St Westmingle
detay & Pances	1808 Caltinare Blud Sint B Westin
ERIE A. Cox	6 Mark Monor of Randstown US
	1 914 Ashbridge Dr
	1 914 Ashbridge Dr. Apt E Baldo 21221
The second secon	



97-331-A



97-331-A



97-331-A

